

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, PR

MINUTES OF PROCEEDINGS

BEFORE HONORABLE JAY A. GARCIA-GREGORY

DATE : MAY 30, 2003

DURATION: 3:00PM TO 7:30PM

LAW CLERK: CAMILLE LIZARRIBAR

CASE No. : 97-2440

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ROSA M. LUGO TORRES
Plaintiff(s)

v.

WALTER TORRES MALDONADO
Defendant(s)

Attorneys for Plaintiffs:

Eliezer Aldarondo Ortiz

Claudio Aliff Ortiz

Simone Cataldi Malpica

Attorneys for Defendants:

Marta Vilá Baez

Maria Soledad Piñero

Kenneth Colón

Counsel for parties met to discuss the possibility of a settlement agreement, pending motions in limine, and trial preparations. Plaintiffs made a settlement offer and defendants will be making a counteroffer. For the moment, there is no settlement agreement.

Counsel requested that the Minutes of Proceedings (Docket No. 143) be clarified and amended as follows:

- 1) Defendants' request to use the evaluations are granted.
- 2) Defendants' witnesses (as to NPP's being rehired) are excluded, unless plaintiffs' claim that all of the NPP's were terminated from office.

In addition and upon counsel's request, the Court takes notice that page 52 of the Pretrial Order was excluded because of lack of agreement between the parties.

Parties discussed the pending motions in limine, and the Court has ruled in the following manner:

3) Plaintiffs will have to provide defendants with information as to mitigation of damages under penalty of perjury. Said information shall include any income, benefits, and measures taken to secure employment during the last six years, and it shall be provided no later than **June 10, 2003**.

4) Defendants have stipulated as to the authenticity of the following documents contained in plaintiffs' proposed exhibits list:

- (a) Items 1-4 pertaining to the agreements.
- (b) Items 5-11 pertaining to the termination letters.

5) Exhibit No. 23 (bankruptcy form) of plaintiffs' proposed exhibits list has been ruled inadmissible.

6) As to the deceased defendant, the claims in his personal capacity are dismissed, and as to those in his official capacity said defendant has been automatically substituted. Therefore,

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there are no pending claims against him.

7) The motion in limine as to Alejandro Acevedo Valentin is dismissed without prejudice.

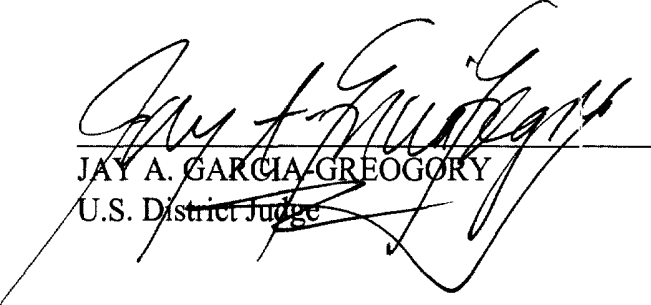
8) At trial, plaintiffs shall begin their case with defendant Jose Franqui, who shall be considered a hostile witness. No other defendants will be presented by plaintiffs during their case in chief. Franqui shall testify only as to the following matters:

- (a) the nature of a consortium,
- (b) the interaction between the executive director and the consortium,
- (c) his interaction with city mayors as to appointments, and
- (d) the instructions that he received from Walter Maldonado pertaining to appointments.

Parties agreed to discuss settlement possibilities and to notify this Court of any decisions. This case is scheduled for trial with the Hon. Judge George Singal on June 16, 2003. Parties will be notified as to whether jury selection will occur on June 13 or June 16, 2003.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 2nd day of June, 2003.



JAY A. GARCIA-GREGORY
U.S. District Judge